

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 574

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO VEHICLE RENTALS; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-451, IDAHO CODE, TO PROVIDE FOR THE INCLUSION OF CERTAIN FEES AND CHARGES IN VEHICLE RENTAL AGREEMENTS, TO PROVIDE FOR THE AMOUNT OF VEHICLE LICENSE COST RECOVERY FEE THAT MAY BE INCLUDED, TO PROVIDE FOR ADJUSTMENTS IN THE AMOUNT OF VEHICLE LICENSE COST RECOVERY FEES AND TO DEFINE A TERM.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 4, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-451, Idaho Code, and to read as follows:

49-451. VEHICLE LICENSE COST RECOVERY FEE -- LIMITATIONS. (1) A car rental company may include separately stated surcharges, fees or charges in a rental agreement, which may include, but shall not be limited to, vehicle license cost recovery fees, airport access fees, airport concession fees and all applicable taxes.

(2) If a car rental company includes a vehicle license cost recovery fee as a separately stated charge in a rental transaction, the amount of the fee shall represent the car rental company's good-faith estimate of the car rental company's daily charge as calculated by the car rental company to recover its actual total annual motor vehicle licensing, titling, registration, plating and inspection costs.

(3) If the total amount of the vehicle license cost recovery fees collected by a car rental company under this section in any calendar year exceeds the car rental company's actual costs to license, title, register and plate motor vehicles and have the same inspected for that calendar year, the car rental company shall retain the excess amount and adjust the estimated average per vehicle licensing, titling, registration, plating and inspection charge for the following calendar year by a corresponding amount.

(4) For purposes of this section, "vehicle license cost recovery fee" means a charge that may be separately stated and charged on the rental contract in a vehicle rental transaction originating in this state to recover costs incurred by a car rental company to license, title, register, plate and inspect rental vehicles.